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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,411	12/04/2003	Gary Hunt	710101.1270	7714
24504 7590 10/31/2007 THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP 600 GALLERIA PARKWAY STE 1500 ATLANTA, GA 30339			EXAMINER SINGH, RAMNANDAN P	
			ART UNIT 2614	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<div style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;"></div> Office Action Summary	Application No.	Applicant(s)	
	10/727,411	HUNT ET AL.	
	Examiner	Art Unit	
	Ramnandan Singh	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 14-21 and 23-33 is/are rejected.
- 7) ☒ Claim(s) 6 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed Aug 14, 2007 have been fully considered but they are not persuasive.

(i) Applicant's argument—"Thus, neither Jones nor Iga, when taken alone or in combination, suggests "anomaly detection logic configured to determine a difference between a new tap coefficient associated with one of the taps and a previous tap coefficient associated with one tap...and to detect an anomaly along a telecommunication line based on the comparison," as described by claim 1" on page 11, lines 20-25.

Examiner's response—Examiner respectfully disagrees. Iga detects tap coefficients above a specified level based on finding the difference (i.e. anomaly) of the respective values of the new and old tap coefficients [col. 7, lines 1-64]. Jones et al utilize those coefficients to determine the location of the line anomalies [Fig. 19; col. 25, lines 2-8; col. 24, line 32 to col. 25, line 25; col. 20, lines 26-39; col. 19, lines 5-33]. Thus, the combination of Jones et al and Iga enables to detect an anomaly along a telecommunication line based on the comparison. For more details, Applicant is directed to the rejection of claim 1 set forth in this Office action.

(ii) Applicant's argument—"Applicants respectfully submit that the alleged combination of Jones and Iga is improper under 35 USC § 103" on page 12, lines 5-6.

Examiner's response--In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Iga detects tap coefficients above a specified level based on finding the difference (i.e. anomaly) of the respective values of the new and old tap coefficients [col. 7, lines 1-64]. Jones et al utilize those coefficients to determine the location of the line anomalies [Fig. 19; col. 25, lines 2-8]. Thus, one of ordinary skill in the art, at the time the invention was made, would have been motivated to combine the teachings of Iga with Jones et al in order to realize the claimed invention.

(iii) Applicant's argument—"Applicants believe that the reference to Galada in the Office action is in error and that the Examiner intended to reference Galand instead of Galada" on page 13.

Examiner's response—Examiner agrees. Examiner thanks the Applicants for pointing this error. The correction has been made.

aim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 7, 10, 15-16, 19, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iga [US 5,065,241].

Regarding claim 1, Jones et al teach an anomaly detection system shown in Figs. 10, 11, 19, comprising:

an echo canceller (908) having a plurality of taps respectively associated with a plurality of tap coefficients [Figs. 10-11]; and

anomaly detection logic (or calibration) [Fig. 19; col. 3, line 45 to col. 4, line 18; col. 24, line 32 to col. 25, line 25].

Although Jones et al teach using a sequence of filter coefficients (i.e. taps) at step 1930 of the echo canceller as a bench mark to detect anomalies using a difference in peaks locations based on delays [Fig. 10, steps 1922 thru 1940; col. 3, lines 45-53], they do not teach expressly using a difference in two sets of filter coefficients to detect anomalies.

Iga teaches a configuration to determine a difference between a new tap coefficient associated with one of the taps and a previous tap coefficient associated with the one tap, the anomaly detection logic configured to perform a comparison between the difference and a threshold and to detect an anomaly along a telecommunication line based on the comparison [Figs. 1-6; col. 5, line 10 to col. 7, line 65].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Iga with Jones et al in order to provide an alternate approach to detect anomalies using the two sets of echo canceller filter coefficients.

Claims 7, 10, 15-16, 19, 31 are essentially similar to claim 1 and are rejected for the reasons stated above.

Regarding claim 32, the combination of Jones et al and Iga teaches the system, wherein the anomaly logic is configured to detect the anomaly based on coefficients of an echo canceller [Johnes et al; col. 24, line 32 to col. 25, line25].

4. Claims 2-5, 8-9, 11-12, 14, 17-18, 20-21, 23-30 and 33 rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Jones et al and Iga as applied to claim 1 above, and further in view of Galand et al [US 4,764,955].

Regarding claim 2, the combination of Jones et al and Iga does not teach expressly generating a histogram of anomaly indications (i.e. abnormal delays).

Galand et al teach generating a histogram of anomaly indications (i.e. flat delays) [Figs. 3-5; col. 4, line59 to col. 5, line 40].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Galand et al with Iga and Jones et al in order to derive an accurate anomaly estimation using a histogram of anomaly indications based on comparisons of associated tap coefficients [Galand et al; col. 5, lines 34-40; Abstract].

Claims 14 and 23 are essentially similar to claim 2 and are rejected for the reasons stated above.

Regarding claim 3, the combination of Jones et al and Iga teaches the system, wherein the anomaly detection logic is configured to maintain a running sum of a total number of anomaly indications detected by the anomaly detection logic [Jones et al; col. 25, lines 1-8] based on comparisons between tap coefficients associated with the one tap [Iga; col. 7, lines 1-65].

Claims 8 and 17 are essentially similar to claim 3 and are rejected for the reasons stated above.

Regarding claim 4, the combination of Jones et al, Iga and Galand et al teaches the system, wherein the anomaly detection logic is configured to compare the running sum (i.e. updating the histogram) to a threshold [Iga; col. 7, lines 1-65].

Claims 9 and 18 are essentially similar to claim 4 and are rejected for the reasons stated above.

Regarding claim 5, the combination of Jones et al, Iga and Galand et al teaches the system, wherein the anomaly detection logic is configured to perform a second comparison between a threshold and a value indicative of an error rate (i.e. changes in error signals) associated with the telecommunication line [Iga; col. 7, lines 44-64; col. 4, lines 18-53], the anomaly detection logic further configured to detect the anomaly based on the second comparison (not shown) [Iga; claims 9-11].

Claims 12 and 21 are essentially similar to claim 5 and are rejected for the reasons stated above.

Regarding claim 11, Galand et al further teach the system wherein the anomaly detection logic is configured to periodically update the baseline tap coefficients [col. 3, lines 51-57].

Claim 20 is essentially similar to claim 11 and is rejected for the reasons stated above.

Regarding claims 23-30, the limitations are shown above.

Allowable Subject Matter

5. Claim 22 is indicated allowable.

Claim 22 recites the limitation "comprising the step of updating at least one of the baseline tap coefficients in response to a comparison between one of the differences and one of the thresholds". The prior art of record does not teach this limitation.

6. Claims 6 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 6 recites the limitation "wherein the value represents a minimum signal-to-noise ratio detected during a particular time period prior to the second comparison". The prior art of record does not teach this limitation.

Claim 13 recites the limitation "wherein the anomaly detection logic is configured to update at least one of the baseline tap coefficients in response to one of the comparisons". The prior art of record does not teach this limitation.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramnandan Singh
Primary Examiner
Art Unit 2614

A handwritten signature in black ink, appearing to read 'R. Singh', with a long horizontal stroke underneath.